

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JANELYS HERNANDEZ,

Plaintiff,

v.

MOONEY, INCORPORATED,

Defendant.

23-CV-6576 (DEH)

ORDER

DALE E. HO, United States District Judge:

On December 19, 2023, Magistrate Judge Wang held a conference and both parties failed to appear. *See* Dkt. No. 13. An order issued the same day directed Plaintiff to show cause by January 12, 2024, why Judge Wang should not recommend that the case be dismissed for failure to prosecute. *See id.* No such letter was filed.

It is hereby **ORDERED** that the case is **DISMISSED**, for failure to prosecute. This dismissal is without prejudice to re-opening, provided any application to re-open the case must be filed by **February 2, 2024**. Any application made after that time will be denied. Any application to re-open the case will explain counsel's failure to diligently prosecute this case, including participating in conferences before Judge Wang and complying with her orders.

The Clerk of Court is respectfully directed to terminate the case.

Dated: January 24, 2024
New York, New York



DALE E. HO
United States District Judge